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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,909	03/11/2004	Cary Lee Bates	ROC920030376US1	6995
30206	7590	11/08/2007		
IBM CORPORATION ROCHESTER IP LAW DEPT. 917 3605 HIGHWAY 52 NORTH ROCHESTER, MN 55901-7829			EXAMINER SHAN, APRIL YING	
			ART UNIT	PAPER NUMBER
			2135	
			MAIL DATE	DELIVERY MODE
			11/08/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/798,909

Applicant(s)

BATES ET AL.

Examiner

April Y. Shan

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. The Applicant's amendment, filed 20 August 2007, has been received, entered into the record, and respectfully and fully considered.
2. As a result of the amendment, claims 1, 6 and 11-16 are amended. Therefore, claims 1-20 are pending.
3. Any objections/rejections not repeated below for record are withdrawn due to Applicant's amendment.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 1-20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

As per **claim 1**, "a first password" is being recited. The examiner respectfully and carefully reviewed the Applicant's original disclosure, for example, it discloses in the abstract, "...determine whether a **password** is restricted to a set of pages...and **the password** outside the set of pages if the password is not restricted...In various embodiments, restriction of **the password** may be specified via control information...or

via a user interface". Apparently, there is only one password disclosed in the original disclosure and the examiner did not find support of "a first password" in the original disclosure. Further, the examiner finds no support in the original disclosure about "wherein the first password is allowed to be submitted to the set of pages" as recited in the claim 1.

As per **claims 6, 11 and 16**, the examiner finds no support in the original disclosure about "wherein the password is allowed to be submitted to the set of pages" as recited in the claims.

Any claim not specifically addressed, above, is being rejected as incorporating the deficiencies of a claim upon which it depends.

6. Claims 1-20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

As per **claim 1**, "wherein the first password is allowed to be submitted to the set of pages" is being recited. However, in the same claim 1, a determination has to be made whether a first password is restricted to a set of pages, if the determination is true, denying submission of the first password outside the set of pages. The above new claim limitation is contradicted with the claim itself. If the first password is allowed to be submitted to the set of pages, then why it is necessary to determine whether a first password is restricted to a set of page? *In re Wands*, 858 F. 2d 731, 737, 8 USPQ2D

1400, 1404 (*Fed. Cir. 1998*). Therefore, the amended claim limitation in claim 1 is contradicted with the Applicant's original disclosure, which is not enabling.

As per **claims 6, 11 and 16**, "wherein the password is allowed to be submitted to the set of pages" is being recited. However, in the same claims, a determination has to be made whether a first password is restricted to a set of pages, if the determination is true, denying submission of the first password outside the set of pages. The above new claim limitation is contradicted with the claim itself. If the first password is allowed to be submitted to the set of pages, then why it is necessary to determine whether a first password is restricted to a set of page? *In re Wands, 858 F. 2d 731, 737, 8 USPQ2D 1400, 1404 (Fed. Cir. 1998)*. Therefore, the amended claim limitation in claim 1 is contradicted with the Applicant's original disclosure, which is not enabling.

Any claim not specifically addressed, above, is being rejected as incorporating the deficiencies of a claim upon which it depends.

In order to further exam on the merits of the claims, the examiner interpret the new claim limitations in claims 1, 6, 11 and 16 as wherein the first password is allowed to be submitted to the set of pages before the determination.

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 1-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per **claims 1, 6, 11 and 16**, "wherein the first password is allowed to be submitted to the set of pages" and "wherein the password is allowed to be submitted to the set of pages" are being recited in the claims. However, a determination has to be made whether a first password is restricted to a set of pages, if the determination is true, denying submission of the first password outside the set of pages. The above new claim limitation is contradicted with the claim itself and therefore, these claims are indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Any claim not specifically addressed, above, is being rejected as incorporating the deficiencies of a claim upon which it depends.

In order to further exam on the merits of the claims, the examiner interpret the new claim limitations in claims 1, 6, 11 and 16 as wherein the first password is allowed to be submitted to the set of pages before the determination.

Claim Rejections - 35 USC § 101

9. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

10. Claims 11-15 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

With respect to **claims 11-15**, the instruction is embodied on "storage medium". The Applicant's effort to overcome the rejection is acknowledged. However, after carefully and respectfully reviewed the original disclosure, the examiner maintains the rejection. On page 9, line 13 – page 10, line 6 of the original disclosure, the Applicant discloses "...by a **communications media...including wireless communications**".

To a person with ordinary skill in the art, as used herein, refers to a storage medium that participates in directly or indirectly providing signals. Communication media can also take the form of electromagnetic radiation, like those generated during radio-wave and infra-red data communications, or take the form of one or more groups of signals....

"Signal", as used herein, includes but is not limited to one or more electrical or optical signal, analog or digital.... Please note to one of ordinary skill in the art, "storage medium" as recited in claims 11-15 includes "wireless communication media" as disclosed in the Applicant's original disclosure, which includes signal, radio wave and etc. This subject matter is not limited to that which falls within a statutory category of invention because it is not limited to a process, machine, manufacture, or a composition of matter. Instead, it includes a form of energy. Energy does not fall within a statutory category since it is clearly not a series of steps or acts to constitute a process, not a mechanical device or combination of mechanical devices to constitute a machine, not a tangible physical article or object which is some form of matter to be a product and

constitute a manufacture, and not a composition of two or more substances to constitute a composition of matter.

Claim Rejections - 35 USC § 102

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

12. Claims 1-3, 6-8, 11-13 and 16-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Child et al. (U.S. Patent No. 6,341,352).

As per **claim 1**, Child et al. discloses a method, comprising:
determining whether a first password is restricted to a set of pages ("..the Web server then invokes a server path check at step 72. The PathCheck function checks with the session manager to determine whether the user has appropriate DCE credentials. If so, the routine continues at step 74 to determine whether the user's password has expired. This step is also preferably performed during the PathCheck function" – e.g. col. 6, lines 35-41. Please note a password corresponds to Applicant's first password) and if the determining is true, denying submission of the first password outside the set of pages ("In particular, whenever the user's password has expired, it is desirable according to the present invention to suspend a given Web transaction request.." – e.g. col. 6, lines

10-12), wherein the first password is allowed to be submitted to the set of pages (e.g. step 74 fig. 4. Please note the password is allowed to complete transaction before the determination and please see above 112 rejection and examiner's interpretation on the claim)

As per **claim 2**, Child et al. discloses a method as applied above in claim 1. Child et al. further discloses wherein the set of pages comprises all pages within a domain ("...a Web client to obtain access to **files** stored in a distributed file system space of a distributed computing environment" – e.g. abstract and "...Web browser accesses **Web documents** stored in a secure distributed file system space" – e.g. col. 2, lines 24-25 and col. 5, lines 4-19. Please note files/Web documents correspond to Applicant's all pages).

As per **claim 3**, Child et al. discloses a method as applied above in claim 1. Child et al. further discloses wherein the set of pages comprises a single page ("...a Web server application that access **a document** within the file system space on behalf of the Web browser user" – e.g. col. 2, lines 34-36. Please note a document corresponds to Applicant's a single page).

As per **claims 6, 11 and 16**, Child et al. discloses an apparatus/instructions/system comprising: means for determining whether a password

is restricted to a set of pages (“..the Web server then invokes a server path check at step 72. The PathCheck function checks with the session manager to determine whether the user has appropriate DCE credentials. If so, the routine continues at step 74 to determine whether the user’s password has expired. This step is also preferably performed during the PathCheck function” – e.g. col. 6, lines 35-41. Please note an expired password corresponds to Applicant’s password is restricted); means for denying submission of the password outside the set of pages if the determining is true (“In particular, whenever the user’s password has expired, it is desirable according to the present invention to suspend a given Web transaction request..” – e.g. col. 6, lines 10-12); and means for allowing submission of the password outside the set of pages if the determining is false (“...If the outcome of the test at step 74 is negative, the routine branches to step 76 and completes the transaction processing as has been previously described” – e.g. col. 6, lines 29-44) and wherein the password is allowed to be submitted to the set of pages (e.g. step 74 fig. 4. Please note the password is allowed to complete transaction before the determination and please see above 112 rejection and examiner’s interpretation on the claim)

As per **claims 7, 12 and 17**, Child et al. further discloses wherein the set of pages comprises all pages within a domain “...a Web client to obtain access to **files** stored in a distributed file system space of a distributed computing environment” – e.g. abstract and “...Web browser accesses **Web documents** stored in a secure distributed

file system space" – e.g. col. 2, lines 24-25 and col. 5, lines 4-19. Please note files/web documents correspond to Applicant's all pages).

As per **claims 8, 13 and 18**, Child et al. further discloses wherein the set of pages comprises a single page ("...a Web server application that access **a document** within the file system space on behalf of the Web browser user" – e.g. col. 2, lines 34-36. Please note a document corresponds to Applicant's a single page).

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

15. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

16. Claims 4-5, 9-10, 14-15 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Child et al. (U.S. Patent No. 6,341,352).

As per **claims 4, 9, 14 and 19**, Child et al. does not expressly disclose one page comprises password restriction control information.

However, Child et al. discloses in col. 3, lines 4-5, "... a determination is made regarding whether the user's password has expired" and in col. 3, lines 37-39, "...a determination is made regarding whether a revised security policy for the application exists" and in col. 1, lines 18-31, "...via a standard page description language known as Hypertext Markup language (HTML). HTML provides basic document formatting and allows the developer to specify "links" to other server and files... In response, the client makes a request to the server identified in the link and receives in return a document formatted, for example, according to HTML". Therefore, it would have been obvious to a person with ordinary skill in the art at the time of the invention that Child et al.'s expired password information/revised security policy for the application can exist in one page.

The motivation of doing so would have been to "addressed the problem of managing password expiration (or other security policy changes) in a system wherein a user of Web browser access Web documents stored in a secure distributed file system space", as disclosed by Child et al. (col. 2, lines 22-25)

As per **claims 5, 10, 15 and 20**, Child et al. discloses submission of a second password inside the set of pages and denying submission of a second password inside the set of pages (e.g. fig. 5, col. 6, line 56 – col. 7, line 14)

Child et al. does not expressly disclose the second password was previously used outside the set of pages and saving a restriction entered from a user interface.

However, Child et al. discloses in col. 7, lines 11-14, "...if the user makes a mistake when changing his or her password, the DCE/DFS administration function preferably redisplay the panel with an error message".

It would have been obvious to a person with ordinary skill in the art, a mistake can be the expired password the user submitted outside the set of pages. Also, the examiner takes official notice that saving a restriction entered from a user interface is common knowledge in the art at the time of the invention.

The motivation of doing so would have been to "addressed the problem of managing password expiration (or other security policy changes) in a system wherein a user of Web browser access Web documents stored in a secure distributed file system space", as disclosed by Child et al. (col. 2, lines 22-25)

Conclusion

17. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Art Unit: 2135

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to April Y. Shan whose telephone number is (571) 270-1014. The examiner can normally be reached on Monday - Friday, 8:00 a.m. - 5:00 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


31 October 2007
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